

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	2:23-CR-00146-NR-1
	:	
v.	:	<i>Filed Electronically via ECF</i>
	:	
BRIAN DIPIPPA,	:	
	:	
	:	HONORABLE JUDGE
DEFENDANT.	:	J. NICHOLAS RANJAN

**MOTION FOR PRODUCTION OF EXCULPATORY EVIDENCE
AND IMPEACHMENT EVIDENCE**

Defendant Brian DiPippa, through his counsel, Michael J. DeRiso and the DeRiso Law Group, files the instant motion for production of exculpatory and impeachment evidence. In support of this motion, counsel states:

(1) An Indictment was returned by the Grand Jury charging Brian DiPippa with, at Count 1, Conspiracy, an alleged violation of 18 U.S.C. 371; at Count 2, Obstruction of Law Enforcement During Civil Disorder, an alleged violation of 18 U.S.C. 2 and 231(a)(3); and, at Count 3, Use of Explosive to Commit Federal Felony, an alleged violation of 18 U.S.C. 844(h)(1).

(2) Pursuant to Brady v. Maryland, 373 U.S. 83 (1963), Mr. DiPippa, moves this Court for production of all exculpatory evidence, including but not limited to any statements from any witness, confidential informant, or other individual exculpating Mr. DiPippa or reflecting inconsistent statements regarding the charges in the Indictment to the government or within the government's knowledge.

(3) Counsel further requests the production of all material and information that may be favorable to the defendant within the scope of Brady v. Maryland, 373 U.S. 83 (1963).

3. Counsel further requests the production of all information regarding the existence and substance of any plea agreements, promise of immunity or payments, indications that payment may be made in the future, or promises of immunity, leniency, or preferential treatment made by any agent of the government to any prospective witness within the scope of United States v. Giglio, 405 U.S. 150 (1972) and Napue v. Illinois, 360 U. S. 264 (1959); as well as “[a]ny information relating to the criminal background of any prosecution witnesses.” United States v. Perdomo, 929 F.2d 967 (3d Cir. 1991).

WHEREFORE, Mr. DiPippa, moves this Honorable Court to grant his motion for production of exculpatory evidence and order the government to produce such evidence forthwith.

Respectfully submitted,

/s/ Michael J. DeRiso

MICHAEL J. DERISO, ESQUIRE

February 1, 2024

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CERTIFICATE OF SERVICE

I, Michael J. DeRiso, hereby certify that on February 1, 2024, a copy of the foregoing was filed electronically with the Clerk of Courts for the United States District Court for the Western District of Pennsylvania.

Respectfully submitted,

/s/ Michael J. DeRiso

MICHAEL J. DERISO, ESQUIRE

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